

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RHAWN JOSEPH,

Plaintiff,

-against-

CLARENCE THOMAS, JOHN G. ROBERTS,
ET AL.,

Defendants.

24-CV-7850 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated October 17, 2024, the Court directed Plaintiff, within thirty days, to pay the \$405.00 in fees required to file a civil action in this court or submit a completed request to proceed *in forma pauperis* (“IFP application”). That order specified that failure to comply would result in dismissal of the complaint. Plaintiff has not filed an IFP application, and the Court’s Finance Unit confirms that no filing fees for this case have been received.¹ Accordingly, the complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

¹ Plaintiff submitted a letter, dated November 5, 2024, in which he challenged the order in which the defendants were listed on the docket and stated that he had “sent payment for the filing,” but that “there has been no acknowledgment of receipt of payment – and this constitutes FRAUD.” (ECF 5, at 1.) If Plaintiff has any record of filing fees paid for this action, he may move, within 30 days, to reopen this action, submitting such documentation of payment received. Nothing in this order prevents Plaintiff from bringing a new action in which he prepays the filing fees or submits an IFP application.

The Court directs the Clerk of Court to enter judgment in this case.

SO ORDERED.

Dated: November 22, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge